



WASHOE COUNTY

Integrity Communication Service

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DA NE
Risk Mgt. N/A
HR N/A
Comptroller CH

STAFF REPORT

BOARD MEETING DATE: May 23, 2017

DATE: May 1, 2017

TO: Board of County Commissioners

FROM: Dave Solaro, Arch., P.E., Director
Community Services Department, 328-2040, dsolaro@washoecounty.us

THROUGH: Kevin Schiller, Assistant County Manager

SUBJECT: For possible action and discussion (1) to determine under NRS 244.1505 if the inhabitants of Washoe County would be substantially benefitted by a gift of Washoe County general funds to cover the cost of County building permit fees, including any applicable County plan review fees, for single family homes affected by Swan Lake (and the immediate vicinity) flooding in Lemmon Valley where verification is provided in writing by the insurance carrier that the cost of permits for repairs is not covered by the applicable insurance policy; and, if the substantial benefit finding is made, (2) to approve the gift of general funds for this purpose. This action applies to the owners of record as of February 1, 2017, on the following Assessor Parcel Numbers, with a building permit application deadline of July 1, 2020: [APN 080-289-01, 080-291-12, 080-301-05, 080-301-07, 080-301-08, 080-301-10, 080-301-11, 080-301-13, 080-302-03, 080-302-04, 080-302-05, 080-302-06, 080-302-07, 080-302-08, 080-313-09, 086-303-18, 086-303-19, 086-303-22, 086-303-25, 086-305-02, 086-523-01, 080-281-15, 080-612-02, 080-281-07, 080-612-04]; and if approved, (3) authorize the appropriate staff to make necessary general fund budget adjustments. (Commission District 5.)

SUMMARY

Based on direction received from the Board of County Commissioners (Board) at the April 24, 2017 meeting staff has provided a path forward for the potential gifting of general fund monies to certain homeowners affected by lake flooding in Lemmon Valley. The Community Services Department is requesting the Board consider the approval of a program to utilize general funds to cover the cost of County building permit fees, including any applicable County plan review fees, for single family homes affected by lake flooding in Lemmon Valley where verification is provided in writing by the insurance carrier that the cost of permits for repairs are not covered by the applicable insurance policy. This action applies to the owners of record as of February 1, 2017, on the following Assessor Parcel Numbers, with a building permit application deadline of July 1, 2020: [APN 080-289-01, 080-291-12, 080-301-05, 080-301-07, 080-301-08, 080-301-10, 080-301-11, 080-301-13, 080-302-03, 080-302-04, 080-302-05, 080-302-06, 080-302-07, 080-302-08, 080-313-09, 086-303-18, 086-303-19, 086-303-22, 086-303-25, 086-305-02, 086-523-01, 080-281-15, 080-612-02, 080-281-07, 080-612-04].

AGENDA ITEM # 11

Washoe County Strategic Objective supported by this item: Safe, Secure and Healthy Communities.

PREVIOUS ACTION

April 24, 2017 – The Board provided direction to staff related to the potential gifting of general funds to cover the cost of building permit fees associated with red and yellow tagged properties as a result of flooding in Lemmon Valley.

BACKGROUND

Many parts of Washoe County have experienced flood damage during the January and February months of 2017; extensive personal property damage has occurred in the North Valleys, specifically in the Lemmon Valley area. As part of the response, an Incident Management Team was established to provide a unified command between Washoe County and the Washoe County Health District. As part of the response and ongoing recovery efforts, the communities surrounding Swan Lake have asked staff to waive building permit fees. In consideration of the request, staff understands the hardship created in this community and are working with each homeowner who has had a building and health inspection resulting in the need for work to be completed.

Additionally the District Attorney's Office discussed with the Board the need to tie a potential gift of general funds to a public purpose. In this case the potential that these homeowners do not complete the necessary repairs to move back into their properties could cause a blighted condition needing to be attended to by Washoe County through code compliance. The process to address the condition could very likely cost Washoe County more time and expense in the future, providing for a public purpose in expending minor funds now.

At the Board meeting in April, the Board gave direction to staff consisting of the following items to consider:

- Only apply to the primary residence, not out-buildings, or sheds.
- It needs to be well investigated that the property was red or yellow tagged due to the incident.
- This is not for a remodel, the gift would only apply to the damage created by the flood.
- There needs to be written documentation that insurance does not exist, or is denying the claim.
- There needs to be a finite time for this gift, this is not to be run in perpetuity.
- This only applies to the owner that sustained damage, this gift does not run with the parcel.
- There should be requirements to ensure that the permitting and subsequent work help limit flooding in the future.
- Insure that the damage was related to flooding and the red or yellow tag was not a result of existing work that did not pass inspections.

Fees for services provided through an Enterprise Fund such as the Building Division require careful thought in regard to how they may or may not be waived. In consultation with the

District Attorney's Office, the opinion is that the fees cannot be waived; however, they can be "gifted" from the general fund, which would need Board approval.

FISCAL IMPACT

Currently there are 25 homes which are either red or yellow tagged for various reasons, not all of which may require plan review or permits from Washoe County. It is estimated that permit fees will range between \$500.00 and \$2,000.00 per residence for a potential high end cost of \$50,000.

RECOMMENDATION

It is recommended the Board of County Commissioners: (1) determine under NRS 244.1505 that the inhabitants of Washoe County would be substantially benefitted by a gift of Washoe County general funds to cover the cost of County building permit fees, including any applicable County plan review fees, for single family homes affected by Swan Lake (and the immediate vicinity) flooding in Lemmon Valley where verification is provided in writing by the insurance carrier that the cost of permits for repairs is not covered by the applicable insurance policy; and, (2) to approve the gift of general funds for this purpose. This action applies to the owners of record as of February 1, 2017, on the following Assessor Parcel Numbers, with a building permit application deadline of July 1, 2020: [APN 080-289-01, 080-291-12, 080-301-05, 080-301-07, 080-301-08, 080-301-10, 080-301-11, 080-301-13, 080-302-03, 080-302-04, 080-302-05, 080-302-06, 080-302-07, 080-302-08, 080-313-09, 086-303-18, 086-303-19, 086-303-22, 086-303-25, 086-305-02, 086-523-01, 080-281-15, 080-612-02, 080-281-07, 080-612-04]; and, (3) authorize the appropriate staff to make necessary general fund budget adjustments.

POSSIBLE MOTION

If the Board agrees with staff's recommendation, a possible motion would be: "Move to (1) make a finding that the inhabitants of Washoe County would be substantially benefitted by a gift of Washoe County general funds to cover the cost of County building permit fees, including any applicable County plan review fees, for single family homes affected by Swan Lake (and the immediate vicinity) flooding in Lemmon Valley where verification is provided in writing by the insurance carrier that the cost of permits for repairs is not covered by the applicable insurance policy; and, (2) approve the gift of general funds for this purpose. This action applies to the owners of record as of February 1, 2017, on the following Assessor Parcel Numbers, with a building permit application deadline of July 1, 2020: [APN 080-289-01, 080-291-12, 080-301-05, 080-301-07, 080-301-08, 080-301-10, 080-301-11, 080-301-13, 080-302-03, 080-302-04, 080-302-05, 080-302-06, 080-302-07, 080-302-08, 080-313-09, 086-303-18, 086-303-19, 086-303-22, 086-303-25, 086-305-02, 086-523-01, 080-281-15, 080-612-02, 080-281-07, 080-612-04]; and (3), authorize the appropriate staff to make necessary general fund budget adjustments."